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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,245	11/21/2003	Robert Mastromatto	23-0454	2202

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EXAMINER

CHIN, PAUL T

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 12/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/719,245

Applicant(s)

MASTROMATTO ET AL.

Examiner

PAUL T. CHIN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/21/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on November 21, 2003 was filed and the submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "20", "22" (sliding members), and "42" (extension portion). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

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4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 13 and 14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, on page 5, lines 24-30 of specification, states "The extension portion 42 has a rounded outer edge 44 such that a medial portion of portion 46 of the extension portion 42 has a length greater than a length of side portion 48 of the extension portion".

It is unclear as to how "the medial portion 46 of the extension portion 42 has a length greater than a length of side portion 48" as shown in figure 3. The length of medial portion and the length of side portion are not disclosed and indicated in the specification.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 8,9,15, and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The exact meaning of the claimed phrases "a plurality of handles coupled to said sheet of material" (claims 8 and 15) are not clearly understood as to how "the handles" are coupled to the sheet. Figures 1-3 clearly show that the handles (52A,52B,32) are cutout portion and it is

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confusing as to how the handles are coupled to the sheet. Moreover, claim 16 is vague and indefinite as to whether the claimed limitation "a handle" (claim 16) is referring to the previously recited "handle" of claim 15 or to the "additional handle".

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-10 and 13-17, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by **Greenberg (Des. 191,832)**.

**Greenberg (Des. 191,832)** discloses a sliding device comprising:

a sheet of material; a plurality of sliding members (Figs. 4 and 5) coupled to extend from a face of the sheet of material; the sliding members having the two inner sliders, which can be considered as a first set of sliding members, which are positioned in a central portion of the sheet (see Fig. 4) and the other two outward sliding members, which can be considered as a second set of sliding members, which are positioned in a outer portions of the sheet (Fig. 4).

Re claims 5-9, **Greenberg (Des. 191,832)** shows a plurality of straps or handles (see Figs. 1 and 3) which are coupled to the plurality of apertures or cutout portions being positioned proximate to a perimeter edge of the sheet material.

Re claim 10, **Greenberg (Des. 191,832)** further shows that each sliding member has a substantially convex outer surface (see Figs. 4 and 5).

Re claims 13 and 14, **Greenberg (Des. 191,832)** shows a generally rectangular main portion (Fig. 3) and an extension portion having a rounded outer edge (Figs. 2,3, and 6).

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Re claims 15-17, Greenberg (Des. 191,832) shows at least one handle or a pair of handles (see Figs. 1 and 5) substantially coupled or formed in the extension portion.

11. Claims 1-10 and 13-17, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by **Buening et al. (3,666,282)**.

**Buening et al. (3,666,282)** discloses a sliding device comprising:

a sheet of material (Fig. 1); a plurality of sliding members (Fig. 2) coupled to extend from a face of the sheet of material; the sliding members having the two inner sliders (15,19) (Fig. 2), which can be considered as a first set of sliding members, which are positioned in a central portion of the sheet, and other two outward sliding members (13,17) (Fig. 2), which can be considered as a second set of sliding members, which are positioned in a outer portions of the sheet (Fig. 2).

Re claims 5-9, **Buening et al. (3,666,282)** shows a plurality of straps or handles (7,7) (see Fig. 1) which are coupled to the plurality of apertures being positioned proximate to a perimeter edge of the sheet material. It is also pointed out that the bosses or the arch sections (37,39,41) having cutout portions, also can be considered as a plurality of handles capable of manipulating the sheet material.

Re claim 10, **Buening et al. (3,666,282)** further shows that each sliding member has a substantially convex outer surface (see Figs. 5 and 6).

Re claims 13 and 14, **Buening et al. (3,666,282)** shows a generally rectangular main portion (Figs. 1 and 3) and an extension portion having a rounded outer edge (5) (Fig. 1).

Re claims 15-17, **Buening et al. (3,666,282)** shows at least one handle or a pair of handles (7,51) (see Fig. 1) substantially coupled or formed in the extension portion.

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12. Claims 1-10, and 13-17, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by **Dickhaut et al. (Des. 374,846)**.

**Dickhaut et al. (Des. 374,846)** discloses a sliding device comprising:

a sheet of material (Fig. 6); a plurality of sliding members (Fig. 1) coupled to extend from a face of the sheet of material; the sliding members having a first set of sliding members, which are positioned in a central portion of the sheet (see Fig. 2), and a second set of sliding members, which are positioned in a substantially outer portions of the sheet (Fig. 2).

Re claims 5-9, **Dickhaut et al. (Des. 374,846)** shows a plurality of straps or handles (see Figs. 1-3) which are coupled to the plurality of apertures or cutout portions (Figs. 4 and 6) being positioned proximate to a perimeter edge of the sheet material.

Re claim 10, **Dickhaut et al. (Des. 374,846)** further shows that each sliding member has a substantially convex outer surface (see Figs. 4 and 6).

Re claims 13 and 14, **Dickhaut et al. (Des. 374,846)** shows a generally rectangular main portion (see Fig. 2) and two extension portions having a rounded outer edge (Fig. 2).

Re claims 15-17, **Dickhaut et al. (Des. 374,846)** shows at least one handle or a pair of handles (see Fig. 2) substantially coupled or formed in the extension portion.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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14. Claims 11 and 12, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Greenberg (Des. 191,832) or Buening et al. (3,666,282) or Dickhaut et al. (Des. 374,846) in view of Field (3,734,523).

Greenberg (Des. 191,832), or Buening et al. (3,666,282), or Dickhaut et al. (Des. 374,846), as presented in sections 10-12 above, does not show a *teflon coating* being applied on the sliding member for reducing friction between the sliding members and the support member.

However, Field (3,734,523) shows a *Teflon coating* being applied on the sliding member (44,63) for reducing friction between the sliding members and the support member (Col 4, lines 47-52). Accordingly, It would have been an obvious to one of the ordinary skill in the art at the time the invention was made to provide a *Teflon coating* on the sliding members of Greenberg (Des. 191,832) or Buening et al. (3,666,282) or Dickhaut et al. (Des. 374,846) as taught by Field (3,734,523) in order to reduce friction between the contacted surfaces of the sliding members and the support member.

#### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL T. CHIN whose telephone number is (703) 305-1524. The examiner can normally be reached on MON-THURS (7:30 -6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EILEEN LILLIS can be reached on (703) 308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Paul T. Chin", with a stylized flourish at the end.

PAUL T. CHIN  
Examiner  
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